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## AMALGAMATED TRANSIT UNION LOCAL 1267 BROWARD COUNTY

3890 W. Commercial Boulevard • Suite 213 • Tamarac, Florida 33309  
Phone: (954) 731-4288 • Fax: (954) 735-1440

PROGRESS THRU UNITY

Date: 12/02/02

The Honorable Norman Mineta  
Secretary, U.S. Department of Transportation  
500 Seventh Street, SW  
Washington, D.C. 20590

DEPT. OF TRANSPORTATION  
03 JAN 14 AM 10:17

Re: Docket Nos. FMCSA-2001-9709 and FMCSA-2000-7382-662  
*FMCSA-2001-9709-641*

Dear Secretary Mineta:

\* As a transit worker, and a member of the Amalgamated Transit Union (ATU), I strongly urge you to **reconsider the new rule** recently issued by the Federal Motor Carrier Safety Administration (FMCSA) (67 FR 49742), requiring States to disqualify a commercial drivers' license (CDL) holder from driving a commercial motor vehicle (CMV) if they are convicted of certain serious traffic violations committed while operating a non-CMV.

Under this new rule, I could lose my CDL, and thus my job, if I receive more than one speeding ticket within a three year period while operating my own personal vehicle, regardless of whether my State revokes my personal drivers' license. This was clearly not the intent of Congress, which authorized the FMCSA to require the disqualification of a CDL holder's CMV driving privileges only after the person has been both convicted and has had his/her non-commercial drivers' license revoked, cancelled or suspended by the State.

Please, reconsider this rule and amend its provisions to conform with the requirements set forth by Congress. **My job could be at stake!**

Sincerely,

*Jay Wagner*  
Member, ATU Local 1267



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DENNIS J. SHOEMAKER

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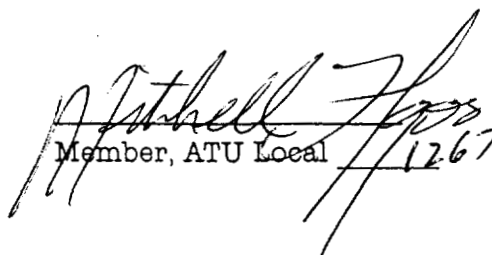
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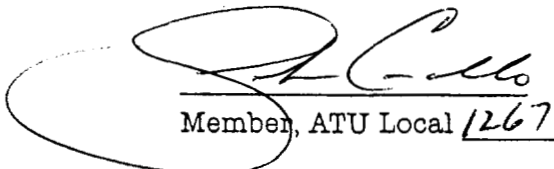
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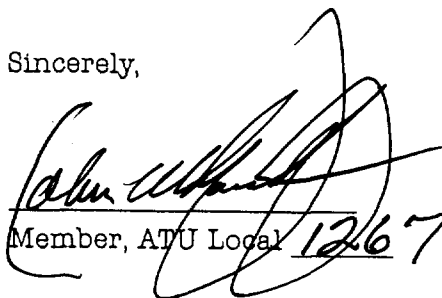
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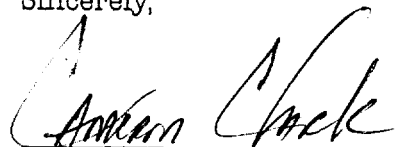
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